

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph F. Bringley, et al

COMPOSITION COMPRISING
INTERCALATED METAL-ION
SEQUESTRANTS

Serial No. 10/822,939

Filed 13 April 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Group Art Unit: 1793

Examiner: Steven J. Bos

Sir:

Response To Election/Restriction Requirement

In response to the Restriction Requirement mailed November 13, 2007, Applicant elects Group I, claims 1-11, 14, 16-22. Such election is made with traverse as to the restriction between Groups I and II for the reasons explained below.

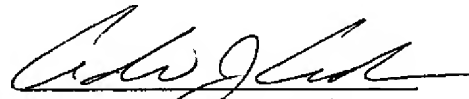
In response to the Election of Species Requirement, Applicant elects iron as the target metal species. Claims 35-37 are generic to, and claim 38 is directed to such elected species.

The restriction requirement between Group I claims 1-11, 14 and 16-22 and Group II claims 1, 12, 13, 14, 15, and 23-34 is traversed, as the segregated claims are not directed towards “mutually exclusive species” in an “intermediate-final product relationship” as alleged by the Examiner. Rather than be “mutually exclusive”, while claims of Group II may require presence of a polymer, the claims of Group I are not exclusionary with respect to the presence of a polymer. Further, the compositions and articles of the claims of Group I are not an “intermediate” product that is changed into a final product of the claims of Group II. Rather, the claimed products of Group I and Group II may more appropriately be viewed in a subcombination-combination relationship, where the “combination” of Group II is directed towards the “sub-combination” intercalated composite particles of the claims of Group I in combination with a polymer. As the combination requires all the particular features of the intercalated composite

particles of the sub-combination, restriction between the inventions of Group I and Group II is not appropriate. Withdrawal of such restriction requirement is accordingly respectfully urged.

While restriction with respect to Group III relative to Groups I and II is not traversed, rejoinder and allowance of such Group III method of using claims with the elected product claims is respectfully requested upon allowance of the elected product claims, as the claims of Group III are directed towards a method of using a composition product commensurate with elected Group I.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.